



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

United States District Court
Southern District of Texas
FILED

UNITED STATES OF AMERICA

§

APR 3 2018

VS

§

David J. Bradley, Clerk of Court

YOLANDA MAGALLANES-NUNEZ,

§

BERTHA ALICIA MAGALLANES,

JESUS MAGALLANES,

§

CRIMINAL NO. **B-18-225**

JOSE ALFREDO MAGALLANES,

VERONICA OFELIA MAGALLANES,

§

PALOMA GARCIA,

ROSA MARIA ALVARADO-MUNOZ

§

SEALED
INDICTMENT

THE GRAND JURY CHARGES:

COUNT 1

From on or about January 3, 2007 through on or about July 19, 2016, in the Southern District of Texas and within the jurisdiction of the Court, Defendants,

**YOLANDA MAGALLANES-NUNEZ,
BERTHA ALICIA MAGALLANES,
JESUS MAGALLANES,
JOSE ALFREDO MAGALLANES,
VERONICA OFELIA MAGALLANES,
PALOMA GARCIA,
and ROSA MARIA ALVARADO-MUNOZ,**

did knowingly and willfully conspire with other persons known and unknown to the Grand Jurors to violate Title 8, United States Code, Sections 1324(a)(1)(A)(ii), and (iii), that is, the object of their conspiracy and agreement was to attempt to transport and move by means of a motor vehicle and attempt to conceal, harbor and shield from detection in a building, an alien who had come to, entered, and remained in the United States, in violation of law, and in furtherance of said alien's illegal presence in the United States.

In violation of Title 8, United States Code, Section 1324(a)(1)(A)(v)(I) and 1324(a)(1)(B)(i).

COUNT 2

From on or about January 3, 2007 through on or about July 19, 2016, in the Southern District of Texas and elsewhere and within the jurisdiction of the Court, the Defendants,

**YOLANDA MAGALLANES-NUNEZ,
BERTHA ALICIA MAGALLANES,
JESUS MAGALLANES,
JOSE ALFREDO MAGALLANES,
VERONICA OFELIA MAGALLANES,
PALOMA GARCIA,
and ROSA MARIA ALVARADO-MUNOZ,**

did knowingly combine, conspire, and agree with persons known and unknown to the Grand Jury to commit offenses against the United States in violation of Title 18, United States Code, Section 1956, to wit: knowingly conduct and attempt to conduct financial transactions affecting interstate and foreign commerce which transaction involved the proceeds of specified unlawful activity, that is, the bringing in, transporting and harboring certain aliens, knowing that the transactions were designed in whole and in part to conceal and disguise, the nature, location, source, ownership, and control of the proceeds of said specified unlawful activity and that while conducting and attempting to conduct such financial transactions, knew that the property involved in the financial transactions, represented the proceeds of some form of unlawful activity in violation of Title 18, United States Code, Sections 1956(a)(1)(B)(i).

Manner and Means of the Conspiracy:

At the request of unindicted co-conspirators and persons unknown to the Grand

Jury, YOLANDA MAGALLANES-NUNEZ, BERTHA ALICIA MAGALLANES, JESUS MAGALLANES, JOSE ALFREDO MAGALLANES, VERONICA OFELIA MAGALLANES, PALOMA GARCIA, and ROSA MARIA ALVARADO-MUNOZ, maintained personal bank accounts at Wells Fargo and/or utilized wire services Western Union and Money Gram to accept cash deposits and wire transfers paid to other unindicted co-conspirators as fees for trafficking in persons by bringing in, transporting and harboring certain aliens. Once the deposits were made into the accounts the Defendants, the amounts were later withdrawn in U.S. Currency and turned over to unindicted co-conspirators and persons unknown to the Grand Jury in order to further an unlawful criminal activity.

In violation of Title 18, United States Code, Section 1956(h).

COUNT 3

From on or about January 3, 2007 through on or about July 19, 2016, in the Southern District of Texas and elsewhere and within the jurisdiction of the Court, Defendants,

**YOLANDA MAGALLANES-NUNEZ,
BERTHA ALICIA MAGALLANES,
JESUS MAGALLANES,
JOSE ALFREDO MAGALLANES,
VERONICA OFELIA MAGALLANES,
PALOMA GARCIA,
and ROSA MARIA ALVARADO-MUNOZ,**

did knowingly conduct, control, manage, supervise, direct and own all or part of an unlicensed money transmitting business, through the use for a fee of a Wells Fargo account, in that the business affected interstate and foreign commerce and (i) was operated without an appropriate money transmitting license in the state of Texas, where such operation was punishable as a felony under the law of the state of Texas; (ii)

failed to comply with the money transmitting business registration requirements under Section 5330 of Title 31, United States Code, and regulations prescribed thereunder, and;
(iii) otherwise involved the transportation and transmission of funds that are known to the defendant to have been derived from a criminal offense and are intended to be used to promote and support unlawful activity.

In violation of Title 18, United States Code, Sections 1960 and 2.

NOTICE OF FORFEITURE
(18 U.S.C. § 982(a)(1))

Pursuant to Title 18, United States Code, Section 982(a)(1), the United States gives notice to Defendants,

**YOLANDA MAGALLANES-NUNEZ,
BERTHA ALICIA MAGALLANES,
JESUS MAGALLANES,
JOSE ALFREDO MAGALLANES,
VERONICA OFELIA MAGALLANES,
PALOMA GARCIA,
and ROSA MARIA ALVARADO-MUNOZ,**

that upon conviction of a violation of Title 18, United States Code, Section 1956 or Title 18, United States Code, Section 1960 as charged in the indictment, all property, real and personal, involved in such offense, and all property traceable to such offense, is subject to forfeiture.

NOTICE OF FORFEITURE
(18 U.S.C. § 982(a)(6))

Pursuant to Title 18, United States Code, Section 982(a)(6), the United States gives notice to Defendants

**YOLANDA MAGALLANES-NUNEZ,
BERTHA ALICIA MAGALLANES,
JESUS MAGALLANES,
JOSE ALFREDO MAGALLANES,**

**VERONICA OFELIA MAGALLANES,
PALOMA GARCIA,
and ROSA MARIA ALVARADO-MUNOZ,**

that upon conviction of a violation of Title 8, United States Code, Section 1324(a)(1) as charged in the indictment, the following is subject to forfeiture:

- (1) all conveyances, including vessels, vehicles, and aircraft, used in the commission of the offense;
- (2) all real and personal property that constitutes, or is derived from or is traceable to the proceeds obtained directly or indirectly from the commission of the offense; and
- (3) all real and personal property that is used to facilitate, or is intended to be used to facilitate, the commission of the offense

Money Judgment/Substitute Assets

In the event that a condition listed in Title 21, United States Code, Section 853(p) exists, the United States will seek to forfeit any other property of the defendants in substitution up to the total value of the property subject to forfeiture. The United States may seek the imposition of a money judgment

A TRUE BILL:

FOREPERSON OF THE GRAND JURY

RYAN K. PATRICK
UNITED STATES ATTORNEY



JUSTIN S. DINSDALE
Assistant United States Attorney